

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

NICHOLAS LAGRASTA, and)	
DOMENICO LAGRASTA,)	
)	
Plaintiffs,)	4:05CV3265
)	
v.)	
)	
WACHOVIA CAPITAL MARKETS,)	ORDER
)	
Defendant.)	
)	

This matter comes before this Court upon Wachovia Capital Markets, LLC f/k/a/ First Union Securities, Inc.'s ("Wachovia") Unopposed Motion for Leave to File Substitute Brief and Index of Evidence. Filing 7. Wachovia requests leave to file a substitute brief and supporting materials in support of its motions to quash, and further states that due to this supplemental submission and difficulties created by Hurricane Wilma, plaintiffs' counsel requests additional time to respond to the motion to quash. Wachovia does not object to the plaintiff's request.

IT THEREFORE HEREBY IS ORDERED:

1. Wachovia's motion for leave to file a substitute brief and and index of evidence with supporting affidavits, filing 7, is granted. The substitute brief and index of evidence, filings 8 and 9, are deemed timely submitted.
2. The plaintiffs are given until November 14, 2005 to respond to Wachovia's Motion to Quash or Modify Subpoena.

DATED this 28th day of October, 2005.

BY THE COURT:

s/ *David L. Piester*

David L. Piester
United States Magistrate Judge